

**REMARKS:**

**Status Of Claims**

Claims 1-7 and 22-30 were previously pending. Claims 1, 23, and 27 have been amended. Claim 22 has been canceled. Thus, claims 1-7 and 23-30 are currently pending in the application with claims 1 and 24 being independent.

**Office Action**

In the Office Action, the Examiner objected to the drawings, under 37 CFR 1.83(a), and rejected the claims 27 and 28, under 35 U.S.C. § 112. Specifically, the Examiner asserted that claim 27's recitation of "a retractable face plate mounted within the docking station and operable to retract when the navigation device is received within the docking station and extend when the navigation device is removed from the docking station, thereby covering the void left by the docking station" was not supported by the drawings. There was a typographical error in claim 27. Claim 27 has been amended to correct this error, and claim 27 now recites, "a retractable face plate mounted within the docking station and operable to retract when the navigation device is received within the docking station and extend when the navigation device is removed from the docking station, thereby covering the void left *in* the docking station", emphasis added. Applicant calls the Examiner's attention to the retractable face plate identified by reference numeral 202k of Figure 22. Furthermore, the specification discloses, on page 25, lines 20-23, "As illustrated in Fig. 22, the mounting assembly 194k preferably includes a base 198k which is formed or

secured to the trim 196k, a docking station 200k which is sized and configured to mate with the base 198k, and a retractable face plate 202k". Finally, on page 26, lines 15-26, the specification describes the retractable face plate in more detail and fully supports the current claim limitation. Thus, correction to the drawings does not appear to be required.

The Examiner also rejected claims 1-6 and 24-29 under 35 U.S.C § 103(a) as being unpatentable over Kempkers et al., U.S. Patent No. 5,415,554, in view of Anderson et al., U.S. Patent No. 6,827,384, and/or Gort et al., U.S. Patent Application Publication No. 2003/0127878. The Examiner also rejected claims 7 and 30 under 35 U.S.C § 103(a) as being unpatentable over Kempkers in view of Anderson or Gort, in further view of Ockerse, U.S. Patent No. 6,928,366. Applicant respectfully submits that the currently pending claims distinguish the present invention from Kempkers, Anderson, Gort, Ockerse, and the other prior art references of record, taken alone or in combination with each other.

Specifically, claim 1 recites "a portable navigational device" and "a mounting assembly for mounting on a support pillar of the vehicle and sized and configured to removably receive the navigational device, wherein the navigation device remains visible when received within the mounting assembly and is functional as a navigation device both when received within the mounting assembly and when being used independently of the mounting assembly".

In contrast, no combination of Kempkers, Anderson, and/or Gort discloses, suggests, or makes obvious "a portable navigational device" and "a mounting assembly for mounting on a support pillar of the vehicle and sized and configured to removably receive

the navigational device, wherein the navigation device remains visible when received within the mounting assembly and is functional as a navigation device both when received within the mounting assembly and when being used independently of the mounting assembly", as claimed in claim 1. In fact, each reference explicitly teaches away from such a combination. For example, Kempkers teaches a compass assembly that is inaccessible without first completely disassembling its mounting assembly and cannot function independently of its mounting assembly. Therefore, Kempkers explicitly teaches away from the compass being removably received therein. Furthermore, Anderson, teaches a storage bin made to fully enclose articles, and therefore explicitly teaches away from the articles remaining visible therein. Finally, Gort simply fails to speak to these limitations at all. As a result, no combination of Kempkers, Anderson, and/or Gort discloses, suggests, or makes obvious "and "a mounting assembly for mounting on a support pillar of the vehicle and sized and configured to removably receive the navigational device, wherein the navigation device remains visible when received within the mounting assembly and is functional as a navigation device both when received within the mounting assembly and when being used independently of the mounting assembly", as claimed in claim 1.

Since the prior art references explicitly teach away from the claimed invention, and proposed combination, there simply can be no proper motivation to combine them. Furthermore, at least Kempkers and Anderson are non-analogous art. Specifically, Kempkers and Anderson do not share a single International Class, U.S. Class, or even Field of Search. Therefore, even a skilled Examiner would not look to Anderson to

examine Kempker, or visa versa. Thus, it cannot be said that an inventor could reasonably be expected to look to Anderson to solve a problem with Kemper, or visa versa, and therefore at least Kempkers and Anderson are non-analogous art. As a result, no proper combination of Kempkers, Anderson, and/or Gort discloses, suggests, or makes obvious "a portable navigational device" and "a mounting assembly for mounting on a support pillar of the vehicle and sized and configured to removably receive the navigational device, wherein the navigation device remains visible when received within the mounting assembly", as claimed in claim 1.

Claim 23 now recites "wherein the support pillar runs along and directly above the vehicle's windshield". The Examiner mistakenly asserts, on page 8 of the Final Office Action, "Kempkers discloses (Fig. 1) wherein the support pillar (18) is a pillar directly above the vehicle's windshield (17)". However, as clearly shown in Kempkers' Figure 1, and stated in column 2, lines 30-64, his support pillar 18 is the vehicle's "A-pillar", which runs **alongside** the vehicle's windshield, but not **above**, as currently claimed. In contrast, both Anderson and Gort disclose support systems attached to vehicles' roofs, but arranged perpendicular to the vehicles' windshield. There is no suggestion or motivation, found in the prior art, to modify Kempkers, Anderson, and/or Gort to meet the limitations of the currently pending claims. Thus, no combination of Kempkers, Anderson, and/or Gort discloses, suggests, or makes obvious "wherein the support pillar runs along and directly above the vehicle's windshield", as claimed in claim 23.

Claim 24 recites "a stand-alone hand-held portable navigational device" and "a mounting assembly for mounting on an existing support pillar of the vehicle and sized and configured to mate with the support pillar and removably receive the navigational device, such that the navigation device remains visible and fully functional when received within the mounting assembly". In contrast, as discussed above, Kempkers' compass assembly cannot function independently of its mounting assembly. While Anderson does teach tossing a GPS device into an overhead bin, his device does not remain "visible and fully functional when received within the" bin. It is precisely this combination of attributes, functionally independent and functional when stowed, that make the present invention unique. The cited prior art simply fails to teach or suggest this combination of limitations.

For example, Kempkers' compass is designed only to function as an integral part of his vehicle. There is simply no suggestion of being able to use Kempkers' compass as a stand alone device. Similarly, as stated in paragraph 41, Gort only discloses "receiving and supporting a wide variety of articles for use within or in conjunction with a vehicle". There is simply no suggestion of being able to use such articles as stand alone devices.

On the other hand, Anderson's GPS unit is completely independent of his vehicle, but is taught as being stowed in a fully enclosed and opaque bin, such that it cannot remain "visible and fully functional when received within the" bin. There is no suggestion of being able to use Anderson's GPS unit when received in his bin. Therefore, each of the cited references explicitly teaches away from the unique combination of limitations claimed in the currently pending claims. At the very least, none of the cited references can be

shown to supply the requisite motivation or suggestion to make the Examiner's proposed modification. Thus, as a matter of settled law, no combination of Kempkers, Anderson, and/or Gort discloses, suggests, or makes obvious "a stand-alone hand-held portable navigational device" and "a mounting assembly for mounting on an existing support pillar of the vehicle and sized and configured to mate with the support pillar and removably receive the navigational device, such that the navigation device remains visible and fully functional when received within the mounting assembly", as claimed in claim 24.

The remaining claims all depend directly or indirectly on claims 1 or 24, and are therefore also allowable.

Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 501-791. In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited.

Respectfully submitted,

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